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*All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness.*

-- Article 1, Section 1, New Jersey State Constitution

## How An Earlier "Patriot Act" Brought Down A President

By Thom Hartmann

Many Americans are suggesting that the Patriot Act (and its proposed "improvements" in Patriot II) is totally new in the experience of America and may spell the end of both democracy and the Bill of Rights. History, however, shows another view, which offers us both warnings and hope.

In 1798 Congress passed a series of laws startlingly similar to the Patriot Act.

It started when Benjamin Franklin Bache, grandson of Benjamin Franklin and editor of the Philadelphia *Aurora*, began to speak out against the policies of President John Adams. Bache, a Democratic-Republican, called the Federalist president "old, querulous, Bald, blind, crippled, Toothless Adams."

University of Missouri-Rolla history professor Larry Gragg points out in an October 1998 article in *American History* magazine that Bache's writings sent Adams and his wife into a self-righteous frenzy. Abigail wrote to her husband and others that Benjamin Franklin Bache was expressing the "malice" of a man possessed by Satan. Bache was a "lying wretch."

Abigail insisted that her husband and Congress must act to punish Bache for his "most insolent and abusive" words about her husband and his administration. His "wicked and base, violent and calumniating abuse" must be stopped, she demanded.

Federalist senators and congressmen - who controlled both legislative houses along with the presidency - came to the defense of John Adams by passing a series of four

laws that came to be known together as the Alien and Sedition Acts.

The vote was so narrow - 44 to 41 in the House of Representatives - that in order to ensure passage the lawmakers wrote a sunset provision into its most odious parts: Those laws, unless renewed, would expire the last day of John Adams' first term of office, March 3, 1801.

Empowered with this early version of the Patriot Act, President John Adams ordered his "unpatriotic" opponents arrested, and specified that only Federalist judges on the Supreme Court would be both judges and jurors. Bache, often referred to as "Lightning Rod Junior" after his famous grandfather, was the first to be hauled into jail (before the laws even became effective!), followed by New York *Time Piece* editor John Daly Burk, which put his paper out of business. Bache died of yellow fever while awaiting trial, and Burk accepted deportation to avoid imprisonment and then fled.

Editors of seventeen of the twenty or so Democratic-Republican-affiliated newspapers were arrested, and ten were convicted and imprisoned; many of their newspapers went out of business.

Bache's successor, William Duane (who took over the newspaper and married Bache's widow), continued the attacks on Adams, publishing in the June 24, 1799 issue of the *Aurora* a private letter John Adams had written to Tench Coxe in which then-Vice President Adams admitted that there were still men influenced by Great Britain in the U.S. government.

The letter cast Adams in an embarrassing light, as it implied that Adams himself may still have British loyalties (something suspected by many, ever since his pre-revolutionary

defense of British soldiers involved in the Boston Massacre), and made the quick-tempered Adams furious.

Imprisoning his opponents was only the beginning for Adams. Knowing Jefferson would mount a challenge to his presidency in 1800, he and the Federalists hatched a plot to pass secret legislation that would have disputed presidential elections decided "in secret" and "behind closed doors."

Duane exposed the plot just after having published the letter that so infuriated Adams. Adams had Duane hauled before Congress on Sedition Act charges. Duane would have stayed in jail had not Thomas Jefferson intervened. Duane went into hiding until the end of the Adams' presidency.

When Congress let out in July of 1798, John and Abigail Adams made the trip home to Braintree, Massachusetts in their customary fashion - in fancy carriages. As the Adams family entourage, full of pomp and ceremony, passed through Newark, New Jersey, a man named Luther Baldwin was sitting in a tavern and probably quite unaware that he was about to make a fateful comment that would help change history.

As Adams rode by, soldiers manning the celebratory cannons loudly shouted "Behold the chief who now commands!" and fired their salutes. In a moment of drunken candor Luther Baldwin said, "There goes the President and they are firing at his arse." Baldwin further sinned by adding, "I do not care if they fire thro' his arse!"

The tavern's owner, a Federalist named John Burnet, overheard the remark and turned Baldwin in to Adams' thought police: The hapless drunk was arrested, convicted, and imprisoned for uttering

"seditious words tending to defame the President and Government of the United States."

In sharp contrast to his predecessor George Washington, America's second president had succeeded in creating an atmosphere of fear and division in the new republic. Across the new nation, Federalist mobs and Federalist-controlled police and militia attacked Democratic-Republican newspapers and shouted down or threatened individuals who dared speak out in public against John Adams.

Even members of Congress were not immune from the Alien and Sedition Acts. When Congressman Lyon - already hated by the Federalists for his opposition to the law, and recently caned in Congress by Federalist Roger Griswold - wrote an article pointing out Adams' "continual grasp for power" and suggesting that Adams had an "unbounded thirst for ridiculous pomp, foolish adulation, and selfish avarice," Federalists convened a federal grand jury and indicted Lyon for bringing "the President and government of the United States into contempt."

Lyon, who had served in the Continental Army during the Revolutionary War, was led through the town of Vergennes, Vermont in shackles. He ran for re-election from his 12x16-foot Vergennes jail cell and handily won his seat. "It is quite a new kind of jargon," Lyon wrote from jail to his constituents, "to call a Representative of the People an Opposer of the Government because he does not, as a legislator, advocate and acquiesce in every proposition that comes from the Executive."

Which brings us to today. The possible ray of light for those who oppose the attempts of George W. Bush to emulate John Adams is found in the end of the story of Adams' attempt to suborn the Bill of Rights and turn the United States into a one-party state:

The Alien and Sedition Acts caused the Democratic-Republican newspapers to become more popular than ever, and turned the inebriated Luther Baldwin into a national celebrity. In like fashion, progressive websites and talk shows are today proliferating across the internet, and victims of no-fly laws and illegal arrests at anti-Bush rallies are often featured on the web and on radio programs like Democracy Now.

The day Adams signed the

Alien and Sedition Acts, Thomas Jefferson left town in protest. Even though Jefferson was Vice President, and could theoretically benefit from using the Acts against his own political enemies, he and James Madison continued to protest and work against them. Jefferson wrote the text for a non-binding resolution against the Acts that was adopted by the Kentucky legislature, and James Madison wrote one for Virginia that was adopted by that legislature. Today, in similar fashion, over 100 communities across America have adopted resolutions against Bush's Patriot Act, and, in the spirit of Matthew Lyon, Vermont Congressman Bernie Sanders has introduced legislation to repeal parts of the Act.

Jefferson beat Adams in the election of 1800 as a wave of voter revulsion over Adams' phony and self-serving "patriotism" swept over the nation (along with concerns about Adams' belligerent war rhetoric against the French). Today, even a minor appearance by Howard Dean or Dennis Kucinich - both on record for repealing much or all of the Patriot Act - draws a large crowd. There's a growing conviction across the nation that Dean - or possibly another non-DLC Democrat - can defeat Bush in 2004.

When Jefferson exposed Adams as a poseur and tool of the powerful elite, the rot within Adams' Federalist Party was exposed along with it. The Federalists lost their hold on Congress in the election of 1800, and began a 30-year slide into total disintegration (later to be reincarnated as Whigs and then as Republicans). Today, the rot in the Republican Party is more and more obvious. Americans are demanding representation for We, The People, and non-DLC Democrats, Greens, and Progressives can offer it.

In what came to be known as "The Revolution of 1800" or "The Second American Revolution," Thomas Jefferson freed all the men imprisoned by Adams as one of his first acts of office. Jefferson even reimbursed the fines they'd paid - with interest - and granted them a formal pardon and apology.

The history of John Adams' failed presidency gives hope and encouragement to those committed to real democracy and genuine freedom. History shows that when enough people become politically active, they can rescue the soul of America from sliding into a corrupt, abusive police

state.

The future of our nation is now at risk just as much as it was in 1800. It's time to wake up and work to elect and empower politicians interested in real democracy. If we're successful, America may experience a revival every bit as extraordinary as that brought about by Jefferson's Second American Revolution.

-- Thom Hartmann  
(www.thomhartmann.com) is the author of over a dozen books, including "Unequal Protection: The Rise of Corporate Dominance and the Theft of Human Rights" and "The Last Hours of Ancient Sunlight," and the host of a nationally syndicated daily radio talk show.

## Welcome to the Gulag

By Mary Starrett

This week the U.S. Supreme Court ruled on the case of a dentist who's been behind bars for six years awaiting trial for "Medicaid fraud"; charges which, if proven, would net the man only a little over three years of prison time.

The government contends Dr. Sell, the 53 year old detainee, is "delusional" and it should have the right to forcibly medicate him to make him capable of standing trial. The Justice Department told the Supremes that the government must have the right to medicate defendants like him to "maintain social order and peace".

Psychiatrists have managed to convince us that without pharmaceutical intervention most of us would be sad, depressed, hyperactive, psychotic zombies. With their help, they promise, we can all get through this thing called "life". They and their accomplices in the medical profession (along with school counselors and social workers and anyone else with some title or other) have convinced many Americans that the simple solution to all of the so-called "mental illnesses" and "disorders" that seem to be plaguing so many of us is...drugs. So women with PMS are encouraged to take Prozac, Paxil or Zoloft. Children are given kiddie-crack like Adderall or Ritalin, seniors are put on Haldol. "Schizophrenics" are put on neuroleptics and on and on. What the "experts" don't tell us is these drugs mess up minds and bodies... Permanently. Do some research and you'll find stats and studies that show such side effects as "suicide, depression, violent ideation and

*In the beginning of change the patriot is a scarce man, brave, hated and scorned. When his cause succeeds, however, the timid join him, for then it costs nothing to be a patriot. - Mark Twain*

lethargy". SUICIDE is a SIDE EFFECT?

Dr. Sell has been fighting to keep from being forcibly medicated. He knows the dangers of psychotropic drugs. He insists he's competent to stand trial, so why has he been denied the right to do so?

In the 6-3 ruling the Court said prosecutors could forcibly medicate defendants: If it can be shown that other methods of treatment have been tried. (Sell had been in solitary confinement for almost two years and no other treatments have been tried.) Or, if the drug is "likely to work" and if the drugs are "medically appropriate".

But according to Harvard-trained psychiatrist Peter Breggin, "evidence indicates the drugs (neuroleptics like the ones they want to give Dr. Sell) produce (a psychosis) that is irreversible and more severe than the patient's original problems" (Breggin, 1989).

"...these drugs may suppress rebelliousness... (which) is why they are effective wherever social control is (desired)". Hear that? The drugs they want to give Sell would have the desired effect of making him compliant.

Breggin says "there is no significant body of research to prove neuroleptics have any specific effect on psychotic symptoms, such as ...delusions. To the contrary, these remain rather resistant to the drugs... a recent ...definitive review of controlled studies showed that (these drugs) showed that they perform no better than...placebo" (Mosher and Burti, 1989, Breggin, 1991).

So all prosecutors have to "prove" is that strong psychotropic drugs are "medically appropriate" (according to whom? The psychiatric profession?) and even non-violent defendants like Dr. Sell (or you or me) can be told to shut up and roll up our sleeves.

The Model State Emergency Health Powers Act, drawn up for the Centers for Disease Control and Prevention, states that once public health officials declare a "state of public health emergency" all of us can be subject to "forced vaccination and treatment" (Section 104(1), 504), "the tracking of individuals, prohibition of firearms" (huh?), and "mandatory quarantine". So, if a "public health emergency" like Monkeyshines Pox or West Nile virus should be declared a threat, you can kiss your Constitutional and health choice freedoms bye-bye.

And, by the way, the Supreme Court decision was accompanied by a federal appeals court ruling the same

week that the U.S. government can keep the names of hundreds of people arrested and detained after September 11th secret. (So much for Article VI of that archaic parchment paper.)

Welcome to the Gulag.

Dr. Sell has been diagnosed as having "delusional disorder, persecutory type". They say he plotted to kill the FBI agent who arrested him. (I'd be interested in hearing the case against him in this charge.)

Medicaid fraud happens every day and they don't put the accused away for six years awaiting trial. Could it be something else?

Dr. Charles "Tom" Sell was a member of the Army Reserves, called up to serve as an expert in forensic dentistry at the gruesome scene of carnage that was Waco.

Here's where his "delusions" come in. He thinks the government is to blame for the fiery deaths. Sound like reason to call the man crazy and want to drug him?

It appears the government is making an example of this man. Which would lead us to ask this question: "I wonder if they think we're delusional, too?"

-- NewsWithViews.com, June 21, 2003

### **Homeland (IN)Security Agency Takes over Plum Island**

The U.S. Homeland Security Department announced that it would assume management of the Plum Island Animal Disease Center off Long Island, N.Y., which studies animal pathogens. Homeland Security and the U.S. Agriculture Department, which currently manages the facility, have begun a joint management program to oversee a four-month transition period, according to a Homeland Security press release. Under the new management, Plum Island researchers will contribute their expertise to Homeland Security's biological counterterrorism efforts, which includes the prevention of agricultural terrorism, the release said (see Global Security Newswire, June 12). -- ([http://www.nti.org/d\\_newswire/issues/newswires/2003\\_6\\_13.html#9](http://www.nti.org/d_newswire/issues/newswires/2003_6_13.html#9))

#### **Commentary by Patricia Doyle, PhD**

We knew that this was going to happen. I believe that under the Homeland (IN)Security Agency Plum Island will now bypass the civilian oversight organization and upgrade to BSL 4. HSA will simply say that upgrading to BSL 4 is a matter of national defense and upgrade.

As people see with West Nile Virus, SARS, Chronic Wasting Disease and Mad Cow, and probably Monkeypox, once a pathogen makes its way into the environment, it is difficult if not IMPOSSIBLE, to purge. Do we really want or need Plum Island, with its history of accidents, strikes, power outages, and safety violations, to upgrade to BSL 4 and therefore work on pathogens, of foreign origin for which there are NO cures, NO vaccines and jump species to humans? Among some of the pathogens will be Ebola, Nipah Virus, Hendra Virus, New Nipah LIKE Virus and many more.

It is very possible that Plum Island could also research SARS, as SARS is purported to be zoonotic, i.e. jumped from animal to human.

Again, does Plum Island with their history, which includes the present, i.e. continuing strike of essential workers, recent power outages, one of which lasted for 3 hours and included failure of ALL back up systems, followed by a one hour outage a week later, deserve to work on the world's deadliest pathogens just 70 miles from New York City, which is a hub for international and domestic travelers?

I have been very disappointed with Homeland Security Agency and think that their first agenda should have been equipping first responders with necessary BSL 4 and other equipment, as well as strengthening the hospital infrastructure to manage and contain emerging infectious disease outbreaks, such as SARS. We saw first hand, during the SARS outbreak, that hospitals are woefully unequipped to manage infectious outbreaks. I think we need to strengthen the homeland medical infrastructure which includes first responder protocol and equipment, first.

All of the BSL 4 labs will not do us one bit of good if we lose our first responders. If we lose much of our population because we have no isolation facilities to treat infectious patients and, as in the case of SARS, have only one choice, and that is QUARANTINE because hospitals could not manage cases without having personnel infected, a BSL 4 Plum Island and other Homeland Security Agenda, does not seem as important.

Priorities, we must put them in order.

### **Humor at Georgetown Law School**

Assistant Attorney General Viet Dinh, who wrote the Patriot Act

(and no doubt had a lot to do with Patriot II), is leaving DOJ boss John Ashcroft to teach constitutional law at Georgetown University Law School. (The dean must have a sense of humor, irony, or both). -- Elaine Cassell, *Counterpunch*

### Vagueness in Miami

MIAMI (AP) - Protesters and neighbors who alleged their constitutional rights were violated during the raid to seize Elian Gonzalez cannot sue former Attorney General Janet Reno, a federal appeals court has ruled.

The Atlanta-based panel reversed a lower court decision, stating Reno has immunity from damages because the 52 plaintiffs failed to show that she knew agents would violate their rights during the pre-dawn raid three years ago.

Armed federal agents removed Elian, then 6, from his Cuban-American family's Miami home. Reno said she had to order the raid because the family refused to turn over the boy after the government decided he should join his father back in Cuba.

The plaintiffs said they were kicked, punched, thrown down, sprayed with pepper spray and tear gas, held at gunpoint and otherwise restrained.

The court said the connection between the behavior of the agents and Reno's supervisory role was "vague."

### UN Announces Gun Control Forum

Just days after French President Chirac called for a global tax on individual firearms purchases, the United Nations has announced it is gearing up to sponsor a global gun-control forum in New York City.

The July 7-11 meeting builds on a similar forum held in 2001, in which participating nations signed a "Program of Action" <http://disarmament.un.org/cab/poa.html> to "Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects."

The Program of Action, or PoA, "sets the first global norms of good behavior to reduce small-arms proliferation," says a statement by the U.N. Small Arms Conference. "By agreeing to this document, all countries have formally committed themselves to take action" regarding the proliferation of "illicit" small arms and light weapons.

Among the provisions agreed upon by member states:

- \*A commitment to make "illicit gun production/possession a criminal offense";

- \*The establishment of a national coordination agency on small arms;

- \*A pledge to identify and destroy stocks of surplus weapons;

- \*Track "officially held guns";

- \*The notification of nations who were the original supplier of weapons when those weapons are re-exported;

- \*The marking of guns and light weapons at the point of manufacture, so they can be tracked and traced globally; and

- \*The maintenance of gun manufacture records.

"The purpose of the [meeting of states] in July 2003 is for governments to report their progress and lessons learned in the first two years of implementing the PoA," said the conference statement.

News of the gun-control event comes on the heels of statements made by some Group of 8 members who say they support a global tax on individuals for every gun purchase they make.

In a speech at the annual meeting of the G8, Brazil's President Luiz Inacio Lula da Silva pushed the arms-sales tax as a scheme whereby the world's wealthiest nations could fund efforts to eliminate world hunger.

The G8 countries are U.S., UK, France, Germany, Italy, Canada, Japan and Russia.

The idea was championed by French President Jacques Chirac, who said Lula's proposal was "forceful and convincing."

"Lula's idea is a simple one. People must be able to eat three times a day, and that is not the case today," Chirac added, according to *Agence France-Presse*.

According to *CNSNews.com*, Chirac also said a tax on weapons could be "quite justified."

The United Nations has a history of pushing an anti-gun agenda. As early as Sept. 24, 1999, U.N. Secretary General Kofi Annan called on members of the Security Council to "tackle one of the key challenges in preventing conflict in the next century" -- the proliferation and "easy availability" of small arms and light weapons. Annan identified them as the "primary tools of violence" in conflicts throughout the world.

The United Nations defines small arms as weapons designed for personal use, while light weapons are those designed for several persons

operating as a crew. Together, however, such weapons account for virtually every kind of firearm from revolvers, pistols, rifles, carbines and light machine guns all the way to heavy machine guns, grenade launchers, portable anti-aircraft and anti-tank guns, mortars up to 100-mm caliber, and land mines

"Even in societies not beset by civil war, the easy availability of small arms has in many cases contributed to violence and political instability," said Annan "Controlling that easy availability is a prerequisite for a successful peace-building process."

-- WorldNet Daily, June 8, 2003

### Practice?

Baghdad, Iraq-AP -- The US military is now telling Iraqis they cannot own or sell guns. Any Iraqi who does faces arrest, according to a radio spot running in the country.

Lieutenant General David McKiernan, who is commanding US forces on the ground, says a new set of laws in Iraq are aimed at rebuilding law and order.

McKiernan has issued a statement saying coalition forces will hunt down those people -- whom he calls a threat to everyone in Iraq. He is urging any Iraqi who owns a firearm to turn it in to coalition forces. -- May 17, 2003

### Detroit police called the worst

Federal investigators reached a bruising conclusion about Detroit police, condemning the 3,900 officer department as the most troubled force they have seen in 10 years of scrutinizing police nationwide.

City and federal officials will discuss their plan to reduce the use of lethal force, end illegal detention of witnesses and improve conditions in police lockups. The agreement calls for a federal monitor to oversee the department for at least the next five years.

Among the improvements federal officials will require is increasing the number of nonlethal weapons police carry. Options include batons and Tasers, which are like electronic stun guns.

Detroit led the nation's large cities in the number of per-capita shootings of citizens by police. Police detained homicide witnesses without required court authorization, and 14 people died in police lockups from 1998 to 2001

Police Department monitors are nothing new.



In Cincinnati, Saul Green, former U.S. attorney in Detroit, is serving as a monitor in an agreement between the city and Justice Department.

Green said he is working with a team of 10 experts from around the country as part of the agreement to help create an early warning system for problem officers and address the department's use-of-force procedures and citizen complaint process.

-- Detroit Free Press, June 12, 2003

## Fight Socialism. Buy a Gun

By Larry Pratt

As columnist Paul Craig Roberts has put it, "Law, once a shield of the innocent, is now a weapon in the hands of government."

Roberts is referring to a long and dangerous trend to expand the concept of crime to actions and non-actions in which no individual is harmed or threatened with harm. In our time one can be convicted of a felony and put in jail for killing a turtle, chopping down a tree, draining a swamp, polluting a body of water, and generally not doing everything that some bureaucrat says you have to do.

When we study socialist countries - be they Nazi Germany, the Soviet Union or too many others - we find a concept in the law called "crimes against the state." These are also sometimes called crimes against the people. In earlier days, they might have been called crimes against the king's peace. Biblically and constitutionally, crimes are against individuals and should result in capital punishment, restitution or acquittal. Non-criminal damages should lead to restitution. In the 17th and 18th centuries, this was how the criminal justice system operated in America.

Add to these crimes against the state that of possessing a prohibited object, specifically a firearm. Several local jurisdictions in the U.S. have banned a wide range of guns, and the federal government has banned a bunch as well. One need not commit a crime to risk being sent to jail for possessing a combination of metal, wood, and plastic parts.

What our founders required by law - carrying guns - is now illegal in many jurisdictions. And in all but Vermont and Alaska, permission is needed to exercise the "right" to bear a concealed firearm.

To the extent that the United States has imposed gun controls on a population "protected" by our Bill of Rights, we have a measure of how

socialist our country has become. Our government was founded on the idea that individuals have God-given rights that need to be protected from that same government. Furthermore, government was seen as having no rights, but only a few well-defined duties. Socialism requires the reversal of our founding premises.

In Joyce Lee Malcom's study of *Guns and Violence: The English Experience* we find the record of how gun control came to England. It began to get very restrictive following World War II. Now that most guns have been confiscated (all legal guns were registered long ago), England is roaring into the socialist pit.

(To listen to my interview with Professor Malcolm go to <http://gunowners.org/radio.htm> and click on Previous Episodes.)

As we can see in the U.S., socialism through regulation can be just as stultifying as socialism in which the government owns the productive sector [as in the Soviet Union]. Regulatory socialism was the Nazi model, proving that nominal private ownership does not prevent control from the center either.

England is moving to crush other personal freedoms now that gun ownership has been virtually eliminated. Prime Minister Tony Blair has proposed restricting jury trials, eliminating the prohibition on double jeopardy and most ominously, proposing that an anonymous complaint be enough to put somebody in jail because he is deemed a danger to himself or the community.

Worse still, self-defense - even without a gun - is penalized. Everything else is monopolized in socialist England, so it is no surprise that self-defense becomes a monopoly of the state.

At the core of the Christian common law, the people are understood to be the owners of the law. Socialism considers law (and everything else) to belong to the government or to be controlled by it. The police are under the control of whoever owns the law.

Consider who are the most ardent gun control advocates in America. Senators Charles Schumer, Hillary Clinton and Diane Feinstein are among the most eager to ban guns, and they are among the most socialist of our national politicians.

In the House, a dedicated opponent of firearms ownership and self-defense is Minority Leader Nancy Pelosi, an avowed socialist and member of the House Progressive

Caucus, which is affiliated with the Democratic Socialists of America, which is affiliated with Socialist International.

Socialism is based on the arrogant assumption that there are a few (elected or in power by force) who are uniquely suited to decide all issues of life. Folks who think like that are hardly likely to make an exception for their subjects to take personal responsibility for their own defense.

As a rule, the more socialist the politicians, the more they want to restrict gun ownership to those who protect politicians - whether that be law enforcement agencies or private security guards (such as the NY City detective who travels as an armed guard for Sen. Schumer). Law enforcement is in place largely to tell the subjects of the socialists to obey the regulations of the regime or risk being put in jail.

Socialists do not like bad attitudes among their subjects, as we saw at Ruby Ridge and Waco, or as we saw in Chicago when Secret Service officers threatened a woman who expressed her disgust with Bill Clinton.

Socialists have an "us versus them" view of society. They are angry and feel threatened when they hear criticism of their policies. Did you see Sen. Clinton screaming at the top of her lungs when some of her subjects disagreed with her position on the Iraq war? As one wag quipped, he thought she was talking to Bill when she first heard her.

In any case, a government that sports a "bad attitude" combined with the belief that one is everyone else's Big Brother will result in a socialist crusade against guns.

Fight socialism. Buy a gun.  
-- NewsWithViews.com, June 17, 2003

## It's Been Said...

When weeding, the best way to make sure you are removing a weed and not a valuable plant is to pull on it. If it comes out of the ground easily, it is a valuable plant.

The easiest way to find something lost around the house is to buy a replacement.

Never take life seriously. Nobody gets out alive anyway.

There are two kinds of pedestrians - the quick and the dead.

Life is sexually transmitted.

Give a person a fish and you feed them for a day; teach that person to use the Internet and they won't bother you for weeks.

Health nuts are going to feel stupid someday, lying in hospitals dying of nothing.

Whenever I feel blue, I start breathing again.

Why does a slight tax increase cost you two hundred dollars and a substantial tax cut saves you thirty cents?

In the 60's people took acid to make the world weird. Now the world is weird and people take Prozac to make it normal.

Politics is supposed to be the second oldest profession. However, it bears a very close resemblance to the first.

How is it one careless match can start a forest fire, but it takes a whole box to start a campfire?

### Letters

NJM,

All concerned citizens should read the recently decided cases on the Second Amendment right to keep and bear arms, namely, *Nordyke v. King*, (319 F.3d 1185, 1192-1198; 9th Cir. 2003; concurring opinion by Circuit Judge Gould), and *Silveira v. Lockyer*, (2003 WL 21004622, 9th Cir. May 6, 2003; dissenting opinions by six circuit judges on motion for rehearing *en banc*), opining that the Second Amendment was intended "to protect the individual citizen's opportunity to keep and bear arms **against a despotic government.**"

Now read these 9th Circuit opinions!!!!

LL, New York

\* \* \*

New Jersey Militia,

Everything you have heard from the liberal media about the Second Amendment in regards to CRUIKSHANK (*United States vs Cruickshank*, 92 US 542, 553) is a lie. The evil Liberals and their lackeys, always just quote the following one sentence: "This [the right to keep and bear arms] is not a right granted by the Constitution."

Well of course not!

The Constitution does not grant rights, IT ACKNOWLEDGES

THOSE RIGHTS ALREADY IN EXISTENCE, AND PROHIBITS GOVERNMENT FROM INFRINGING THEM! Does the Constitution "grant" you the right to Freedom of Speech? NO! Freedom of Press? NO! These rights are only ACKNOWLEDGED AND PLACED OFF LIMITS TO GOVERNMENT INTERFERENCE by the Constitution.

Fellow gun owners.....

All together now: The right of bearing arms is not a right granted by the Constitution, nor is it dependent upon that instrument for its existence. The right to keep and bear arms is a right that existed prior to the creation of this nation and its government, and as such, does not depend on a mere Constitution for its existence. As this right cannot be infringed by Congress, neither can it be infringed by the States. That which is prohibited to the greater authority (the principal), is also prohibited to the lesser (the agent). If the principal is denied, so too is the agent.

Cruikshank had the charges against him dismissed and the case remanded to the lower court with instructions to DISCHARGE THE DEFENDANTS! @ 559

The US Supreme Court affirmed the right of lawful Americans to keep and bear arms for lawful purposes, which can never be subverted or injuriously restrained by mere statute.

If the House of Representatives and the Senate of the United States of America in Congress assembled cannot infringe the right to keep and bear arms, how then can a podunk state (New Jersey, Massachusetts, New York ad nauseam) deny to any lawful American this right?

Unless of course, the US Supreme Court is wrong about this and the states are right!

Nahhhhhh!

Read this, know this, speak this.

JJ, Massachusetts

### The Militia Act

The Militia Act of May 8, 1792, defined the militia as "each and every free able-bodied white male citizen . . . who is or shall be of age eighteen years, and under the age of forty-five years . . ." and required each to "provide himself with a good musket . . . or with a good rifle. . ." 1 Stat. 271.

This remained law for 111 years, until the 1903 passage of the Dick Act which created the National Guard.

After the Spanish-American war of 1898 defense policymakers, assisted by retired military officers, lobbied to change the state militia system. The resulting Dick Act required the states to submit to numerous federal requirements regarding the training, housing, and equipping of the state militias. The Dick Act offered the states "free" training and equipment in exchange for relinquishing control. The states happily complied.

On January 3, 1916 an Act authorized the use of the newly constituted "National Guard" to serve beyond the borders of the United States. The federal government's inability to order the militia beyond the borders of the United States arose from the fact that the role of the militia was purely defensive. The statute was clearly a violation of the Constitution, a fact that did not escape the attention of the Judge Advocate General of the United States Army nor the United States Attorney General, both of whom acknowledged this portion of the Act unconstitutional. See United States War Department, *Digest of Opinions of the Judge Advocate General of the Army: 1912-1940* 644 (1942).

Ed.: As a result of those illegal statutes National Guardsmen at this moment are suffering in Iraq, Bosnia and no doubt elsewhere abroad. Nonetheless the militia envisioned by the framers remains at home to defend the country, though probably not one American in a hundred is aware of it.

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